

Remarks:

This amendment is submitted in an earnest effort to advance this case to issue without delay.

The priority papers were filed with the original application papers and their receipt was acknowledged in the above-mentioned Examiner's Action. The undersigned hereby reiterates the priority claim made in the earlier-filed Declaration.

Enclosed herewith is a replacement drawing that overcomes the objections to the drawing filed with the application.

Claim 1 has been amended to overcome the §112 rejection.

In addition claim 1 has been amended to define the invention with somewhat greater particularity over the art. More particularly as shown in the drawing, amended claim 1 describes a burner assembly comprising:

a ring 5a, 5b generally centered on an axis M and defining an array of outwardly open holes 6 and a central compartment 8 on the axis M within the array;

means 3 for supplying a gas/air mixture to the ring 5a, 5b to project jets of the mixture from the holes 6, whereby, when ignited, the jets form a main annular flame centered on the axis M;

a small burner 9 in the compartment 8 generally centered on the axis M;

a generally circular horizontal plate 12 supported above the ring 5a, 5b and generally centered on the axis M, the plate 12 overlying and covering the compartment 8 and the small burner 9 and having an outer diameter substantially greater than an outer diameter of the small burner 9; and

means 4 for supplying a gas/air mixture to the small burner 9 to form in the compartment 8 underneath the plate 12 a small flame centered on the axis M.

In addition this amendment puts in a new claim 13 which includes all the features of amended claim 1, but that also recites the holes 11 of the small burner 9 and further clarifies how the plate 12 prevents the small-burner flame from directly touching an object sitting on the burner.

The goal of the instant invention is to provide a burner with a simmer setting that, unlike the prior art, does not simply heat a small spot in the middle of the cooking vessel sitting on the burner. Instead the small simmer burner is shielded from the cooking vessel such that heat exchange with it is spread over a much larger area, preventing a burnt spot in the middle of the bottom of the pot.

US patent 2,619,164 of Harper represents the admitted prior art. A small burner is provided concentrically inside a large burner. The flames of both burners directly impinge the cooking vessel sitting atop the device. There is nothing resembling the plate 12 and no suggestion to provide one, so that rejections under §102 and §103 are impossible.

The second main reference, US patent 6,244,263 of Schlosser, shows a burner with a single circular flame that comes out from under a slightly overhanging lip. There is nothing resembling a center burner, nor a plate bigger than a center burner but smaller than an outer burner. Clearly a §102 rejection is not possible on this single-burner unit.

It would not be possible to mount the top plate of Schlosser on the system of Harper and still have the Harper system work, unless a hole was cut in the middle of the Schlosser top plate, in which case the system would not anticipate amended claim 1 or new claim 13. Thus a §103 rejection on the combination of Harper and Schlosser is impossible also.

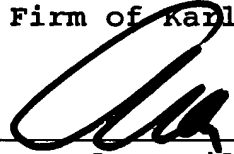
In US patent 3,773,027 of Dodd there is a shielded small burner. Here, however, there is nothing to suggest using it with an unshielded outer burner. The only suggestion to do so would come from the instant invention and constitute an impermissible hindsight rejection. Thus Dodd adds nothing to the teachings of

Harper and Schlosser to anticipate the invention as defined in the current claims.

For these reasons all the claims in the case are felt to be in condition for allowance. Notice to that effect is earnestly solicited.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this case, the examiner is invited to call the undersigned to make the necessary corrections.

Respectfully submitted,  
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Enclosure: Request for extension (one month)  
Replacement drawing